



Community Development Department

DATE: September 8, 2021

FROM: Ben Ehreth, AICP, Community Development Director

ITEM: Fairview Cemetery Addition – Zoning Change and Major Subdivision Final Plat

REQUEST:

Fairview Cemetery, Vertin and the City of Bismarck are requesting approval of a zoning change from the A – Agricultural and MA – Industrial zoning districts to the P – Public, RT – Residential and MA – Industrial zoning districts and a major subdivision final plat for Fairview Cemetery Addition. This action would plat the cemetery, replat an adjacent City-owned lot to improve access to this area, and create two new lots within the cemetery property for the construction of new related uses to the cemetery.

The property is located in northeast Bismarck, north of Interstate 94 and west of Centennial Road on the south side of East Century Avenue (Auditor's Lot A of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 26, T139N-R80W/City Lands and a replat of Lot 1, Block 1, Revolutionary Addition).

Please place this item on the September 14, 2021 and September 28, 2021 City Commission meeting agendas.

BACKGROUND INFORMATION:

The Planning & Zoning Commission held a public hearing on these requests on August 25, 2021.

No residents spoke at the public hearing or submitted written comments.

Mr. Nairn revised the staff recommendation so that Lot 3, Block 1 would be included in the P – Public zoning district.

At the conclusion of public hearing, and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the zoning change from the A – Agricultural and MA – Industrial zoning districts to the P –

Public, RT – Residential and MA – Industrial zoning districts and a major subdivision final plat for Fairview Cemetery Addition.

RECOMMENDED CITY COMMISSION ACTION:

September 14th meeting of the Board of City Commissioners – consider the request for a zoning change as outlined in Ordinance 6483 and call for a public hearing on this item for the September 28th meeting.

September 28th meeting of the Board of City Commissioners – hold a public hearing on the zoning change as outlined in Ordinance 6483, consider the major subdivision final plat for Fairview Cemetery Addition, and take final action on the two requests.

STAFF CONTACT INFORMATION:

Ben Ehreth, AICP, Community Development Director | 355-1842 or behreth@bismarcknd.gov

Kim L. Lee, AICP, Planning Manager | 355-1846 or klee@bismarcknd.gov

Daniel Nairn, AICP | Senior Planner | 355-1854 or dnairn@bismarcknd.gov

ORDINANCE NO. 6483

First Reading

Second Reading

Final Passage and Adoption

Publication Date

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agriculture zoning district and included in the P – Public zoning district:

Lots 1 and 3, Block 1, Fairview Cemetery Addition

The following described property shall be excluded from the A – Agriculture zoning district and included in the RT – Residential zoning district:

Lot 2, Block 1, Fairview Cemetery Addition

The following described property shall be excluded from the MA – Industrial zoning district and included in the MA – Industrial zoning district:

Lot 4, Block 1, Fairview Cemetery Addition

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance area hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

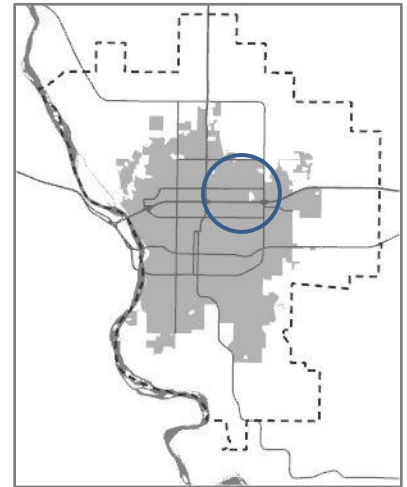
STAFF REPORT

Application for: **Zoning Change**
Major Subdivision Final Plat

Project ID: **ZC2021-007**
FPLT2021-006

Project Summary

<i>Title:</i>	Fairview Cemetery Addition
<i>Status:</i>	Planning & Zoning Commission – Public Hearing
<i>Owner(s):</i>	Fairview Cemetery, Owner City of Bismarck, Owner Vertin, Applicant
<i>Project Contact:</i>	Landon Niemiller, Swenson, Hagen & Co.
<i>Location:</i>	In northeast Bismarck, north of Interstate 94 and west of Centennial Road on the south side of East Century Avenue
<i>Project Size:</i>	73.2 Acres
<i>Request:</i>	Plat and rezone the existing cemetery parcel and adjacent City-owned parcel to allow construction of new related uses and improve access to adjacent parcels



Site Information

Existing Conditions		Proposed Conditions	
<i>Number of Lots:</i>	2 parcels	<i>Number of Lots:</i>	4 lots in 1 block
<i>Land Use:</i>	Cemetery	<i>Land Use:</i>	Cemetery, funeral home, and crematorium
<i>Future Land Use:</i>	Already zoned. Not in Future Land Use Plan	<i>Future Land Use:</i>	Already zoned. Not in Future Land Use Plan
<i>Zoning:</i>	A – Agricultural MA – Industrial	<i>Zoning:</i>	P – Public Use RT – Residential MA – Industrial
<i>Uses Allowed:</i>	A – Agriculture MA – Light industrial, general commercial, warehouses, manufacturing and shop condos	<i>Uses Allowed:</i>	P – Public Use RT – Offices and multi-family residential MA – Light industrial, general commercial, warehouses, manufacturing and shop condos
<i>Max Density:</i>	A – 1 unit / 40 acres A – 1 unit / 40 acres	<i>Max Density:</i>	P – N/A RT – 30 units / acre MA – N/A

(continued)

Property History

<i>Zoned:</i>	N/A	<i>Platted:</i>	N/A	<i>Annexed:</i>	Pre - 1980
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Staff Analysis

Fairview Cemetery, Vertin, and the City of Bismarck are requesting approval of a zoning change from the A – Agricultural and MA – Industrial zoning districts to the P – Public, RT – Residential, and MA – Industrial zoning district and a major subdivision final plat for Fairview Cemetery Addition.

The Planning and Zoning Commission at their meeting of May 26, 2021 tentatively approved the preliminary plat.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on August 13th and 20th, and 60 letters were mailed to the owners of nearby properties on August 13th.

Adjacent uses include a golf course to the west, single-family and multi-family residential to the north across East Century Avenue, industrial and rural residential to the east, and undeveloped A – Agriculturally zoned land to the south.

The Fairview Cemetery was established in the 1880s, and the proposed plat would be the first for this land. The applicant proposes to develop a funeral home on the proposed Lot 2 and a crematorium on the proposed Lot 3, both of these uses will require approval of a special use permit. Platting is required for such structural improvements. The existing cemetery use would continue on Lot 1 of the plat.

The plat includes an access easement through southeast corner that would connect Hamilton Drive to the undeveloped land to the south. This easement could eventually be used to provide

access to this land in the future, which is controlled by a separate owner.

The plat also includes the vacant Lot 4, adjacent to Hamilton Street, owned by the City of Bismarck. There are no plans for immediate development of this lot, but the inclusion in this plat allows adjustments to the right-of-way to provide a more efficient route.

The plat includes area within the Special Flood Hazard Area (SFHA), including the floodway, through the southwest corner. There are also federally recognized wetlands. None of the floodplain or wetland areas would be disturbed or graded through the proposed development.

Required Findings of Fact (relating to land use)

Zoning Change

1. The proposed zoning change is in a developed area of the community and is outside of the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed;
4. The proposed zoning change is justified by a change in conditions since the previous

(continued)

zoning classification was established or by an error in the zoning map;

5. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Major Subdivision Final Plat

1. All technical requirements for approval of a final plat have been met;
2. The final plat generally conforms to the preliminary plat for the proposed subdivision that was tentatively approved by the Planning and Zoning Commission;
3. The proposed subdivision generally conforms to the 2014 Fringe Area Road Master Plan, as amended;
4. The City Engineer has conditionally approved the Post-Construction Stormwater Management Permit (PCSMP);
5. The provision of neighborhood parks and open space is not needed because the proposed final plat is not an urban subdivision with residential zoning districts;
6. The proposed subdivision plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision.
7. The City of Bismarck and/or other agencies would be able to provide

necessary public services, facilities and programs to serve any development allowed by the proposed subdivision at the time the property is developed;

8. The proposed subdivision is located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain. However, the subdivision is proposed to be developed according to existing ordinance requirements pertaining to development in the floodplain and therefore, the proposed development would not adversely impact water quality and/or environmentally sensitive lands,
9. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
10. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
11. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval zoning change from the A – Agricultural and MA – Industrial zoning districts to the P – Public zoning district for Lot 1, Block 1, to the RT – Residential zoning district for Lots 2 and 3, Block 1, and to the MA – Industrial zoning district for Lot 4, Block 1 and approval of the major subdivision final plat for Fairview Cemetery Addition.

Attachments

1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map

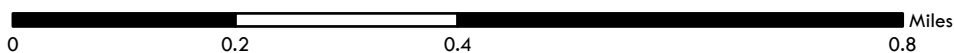
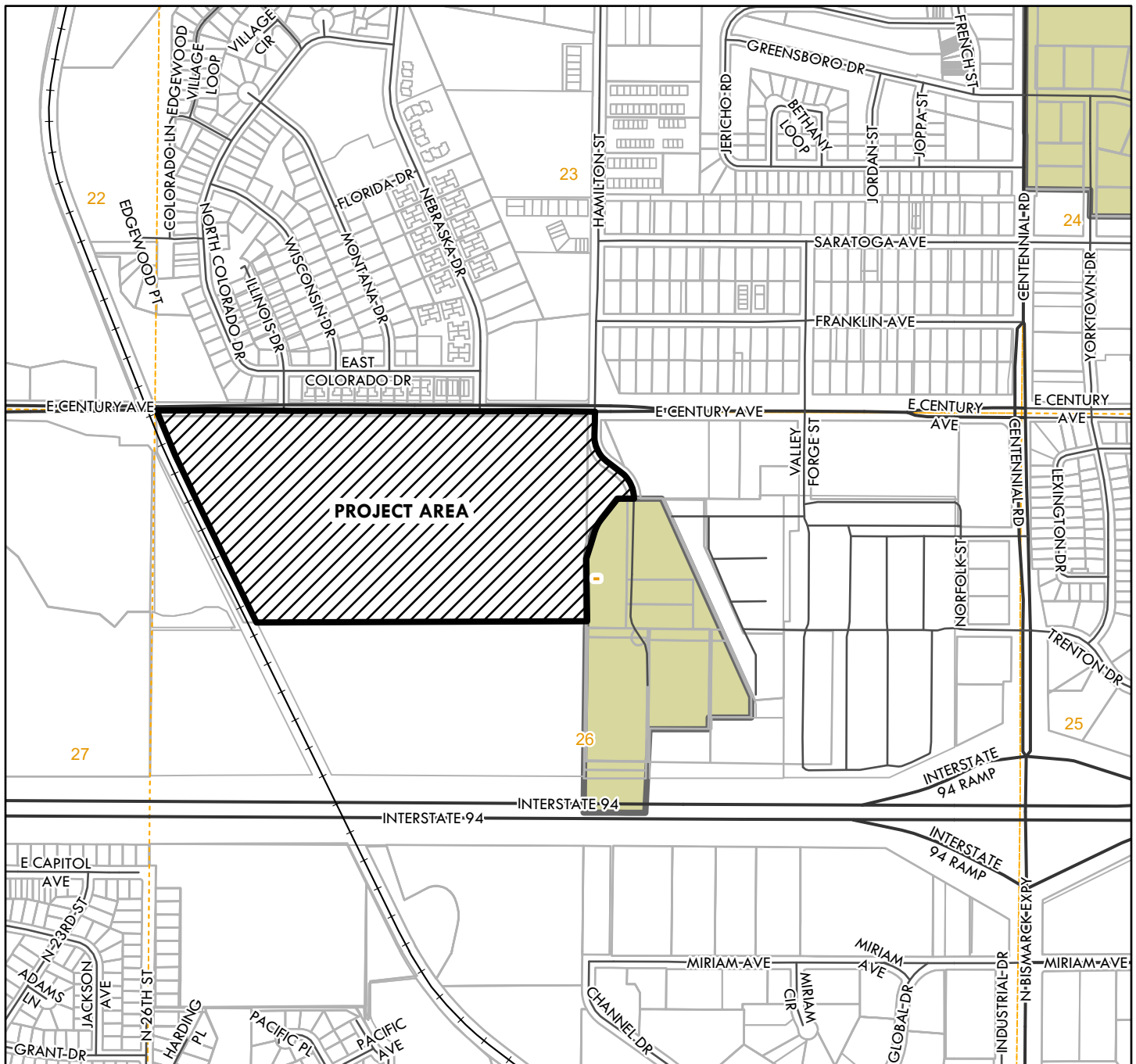
(continued)

4. Proposed Zoning Change Map

6. Preliminary Plat

5. Final Plat

Staff report prepared by: Daniel Nairn, AICP, Senior Planner
701-355-1854 | dnairn@bismarcknd.gov



City Limits



County Outside ETA

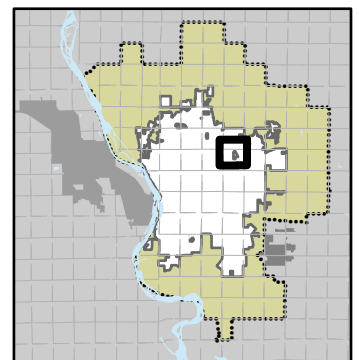


Bismarck ETA Jurisdiction

City of Bismarck
Community Development Department
Planning Division
May 18, 2021 (HLB)

**Section, township, and
range indicated in orange**

*This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.*

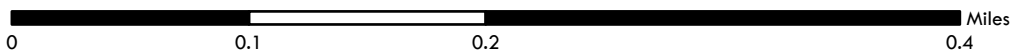




Aerial Map

FAIRVIEW CEMETERY ADDITION

PPLT2021-004

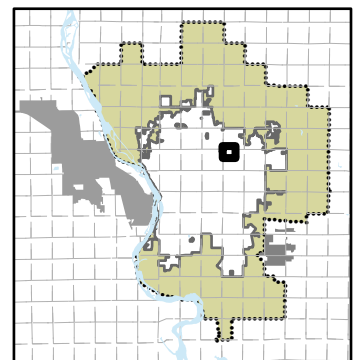


 City Limits  Bismarck ETA Jurisdiction

Aerial Imagery from April 2020

City of Bismarck
Community Development Department
Planning Division
May 18, 2021

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Zoning and Plan Reference Map

FAIRVIEW CEMETERY ADDITION

PPLT2021-004

Zoning Districts

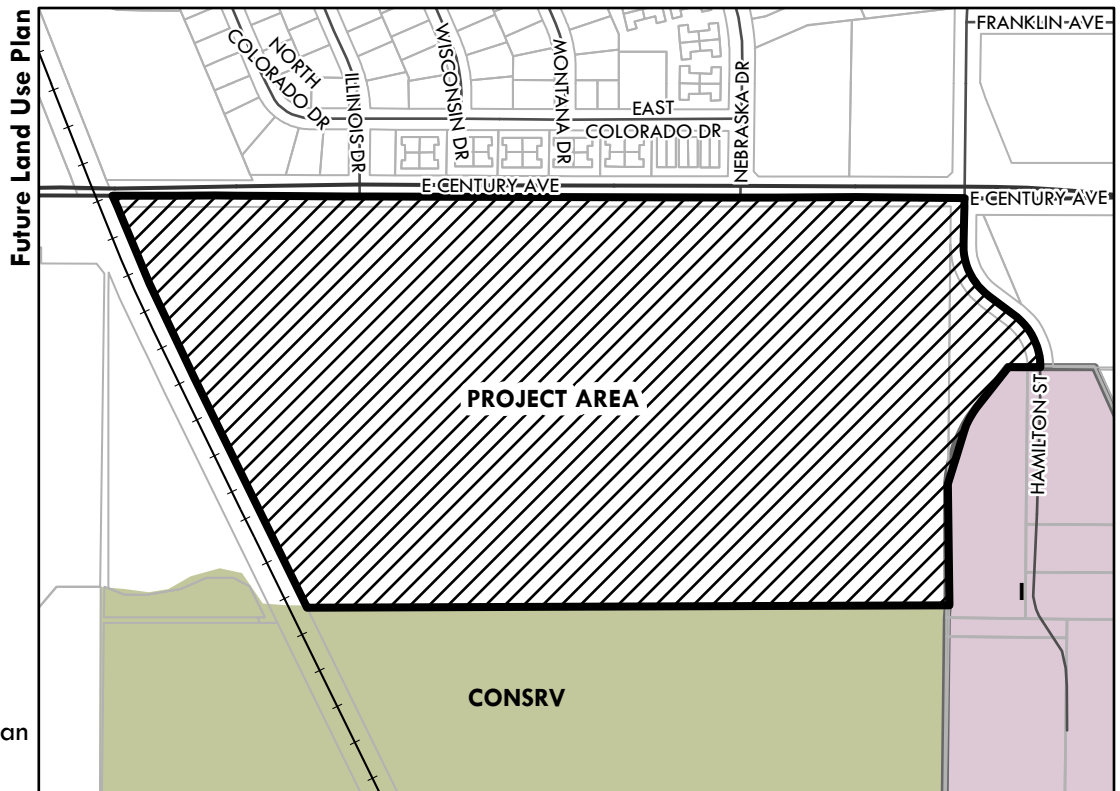
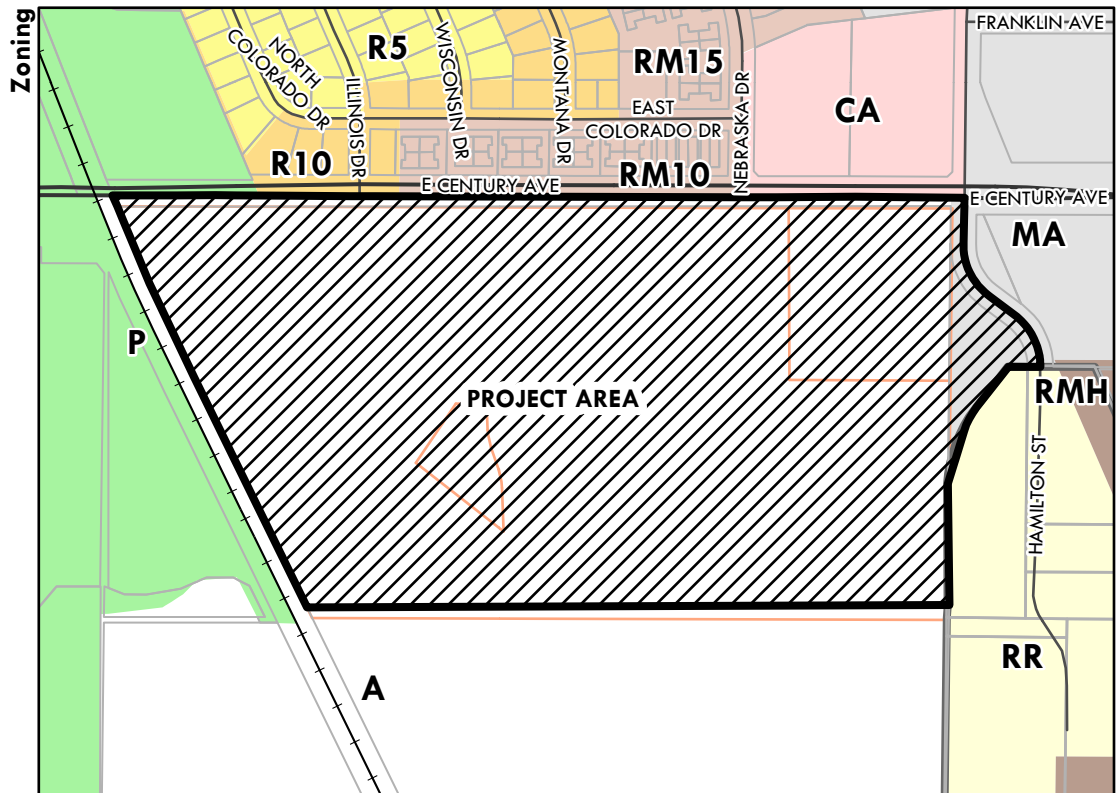
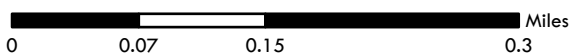
A	Agriculture
RR	Rural
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

CONSRV	Conservation
BP	Business Park
C	Commercial
C/MU	Commercial/Mixed Use
CIVIC	Civic
HDR	High Density Residential
I	Industrial
LDR	Low Density Residential
MDR	Medium Density Residential
MDR-/MU	Medium Density Residential/Mixed Use
O/MU	Office/Mixed Use
RR-C	Clustered Rural Residential
RR	Standard Rural Residential
UR	Urban Reserve

Fringe Area Road Master Plan

- ● ● Future Arterial Road
- ■ ■ Future Collector Road



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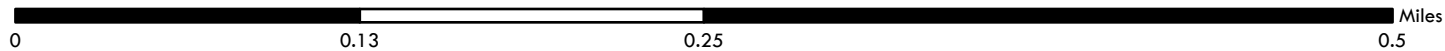
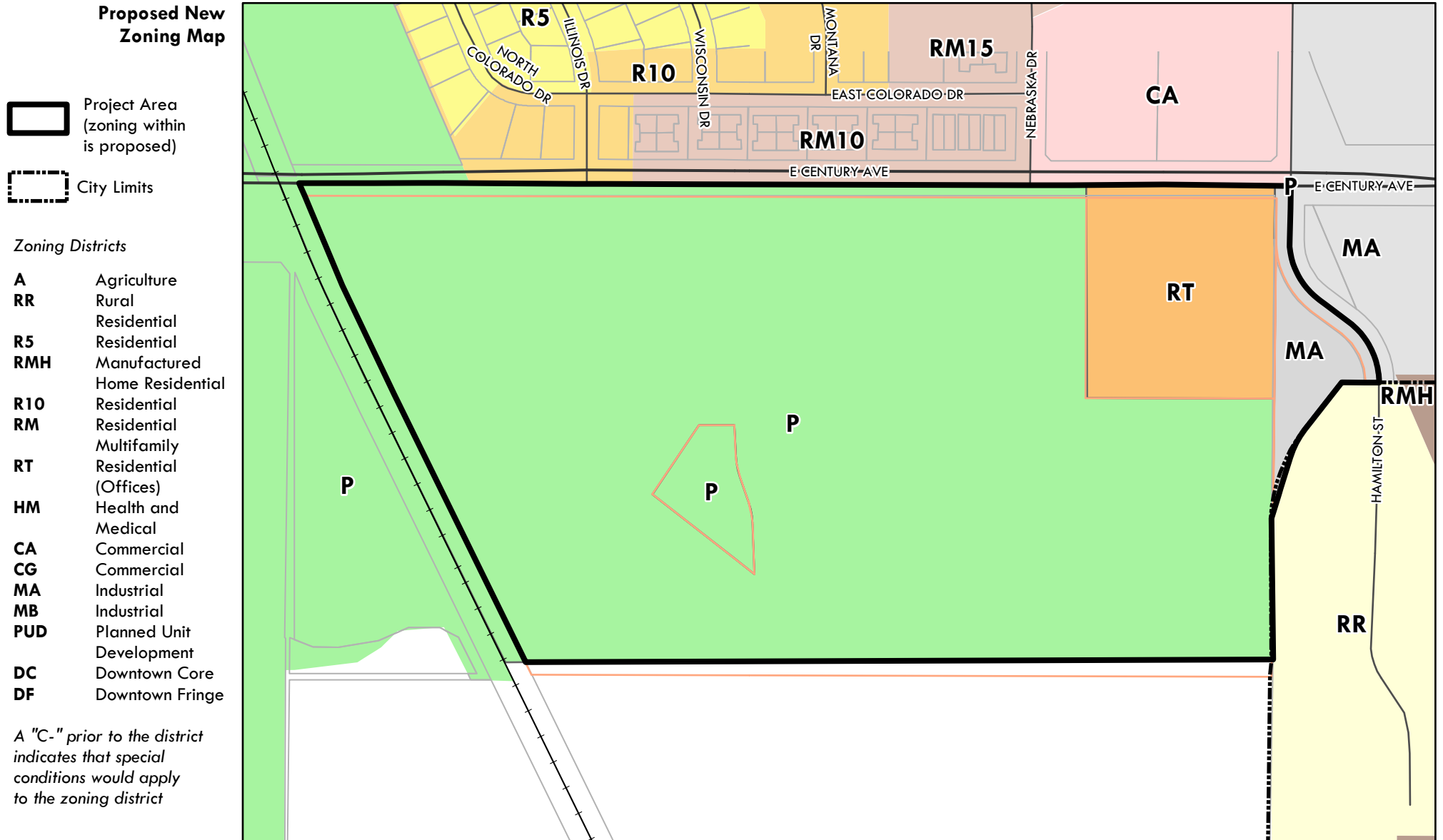
City of Bismarck
Community Development Dept.
Planning Division
May 18, 2021



Potential Zoning Change

FAIRVIEW CEMETERY ADDITION

FPLT2021-006



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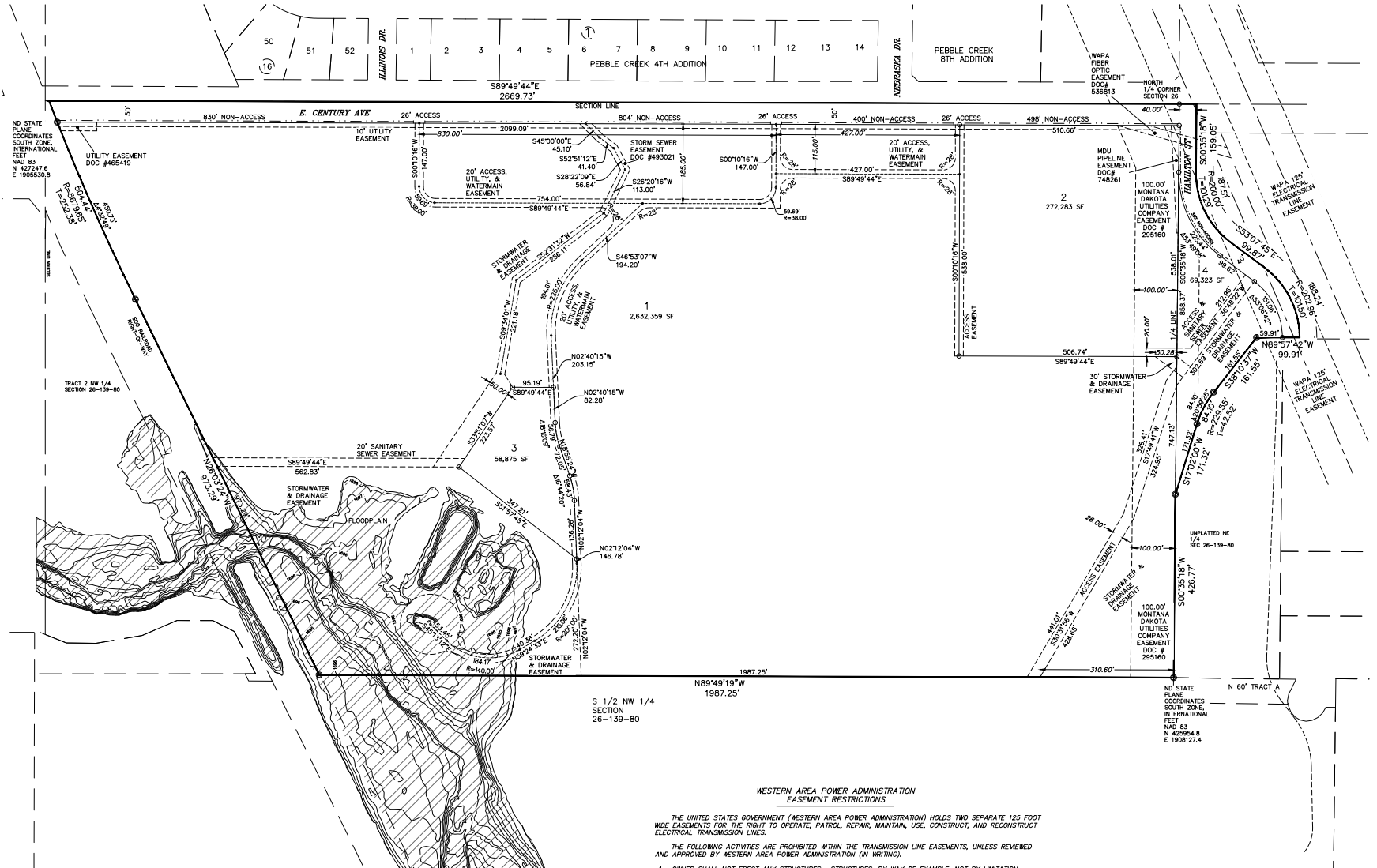


City of Bismarck
Community Development Dept.
Planning Division
August 24, 2021

FAIRVIEW CEMETERY ADDITION

AUDITOR'S LOT A OF THE N 1/2 OF THE NW 1/4 AND PART OF THE SOUTH HALF OF CENTURY AVENUE RIGHT-OF-WAY & LOT 1 BLOCK 1 REVOLUTIONARY ADDITION AND PART OF THE WEST HALF OF HAMILTON STREET RIGHT-OF-WAY OF THE NE 1/4 OF SECTION 26 TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



WESTERN AREA POWER ADMINISTRATION EASEMENT RESTRICTIONS

THE UNITED STATES GOVERNMENT (WESTERN AREA POWER ADMINISTRATION) HOLDS TWO SEPARATE 125 FOOT WIDE EASEMENTS FOR THE RIGHT TO OPERATE, PATROL, REPAIR, MAINTAIN, USE, CONSTRUCT, AND RECONSTRUCT ELECTRICAL TRANSMISSION LINES.

THE FOLLOWING ACTIVITIES ARE PROHIBITED WITHIN THE TRANSMISSION LINE EASEMENTS, UNLESS REVIEWED AND APPROVED BY WESTERN AREA POWER ADMINISTRATION (IN WRITING).

- OWNER SHALL NOT ERECT ANY STRUCTURES. STRUCTURES, BY WAY OF EXAMPLE, NOT BY LIMITATION, SHALL MEANS BUILDINGS, MOBILE HOMES, STORAGE TANKS, SEPTIC SYSTEMS, SWIMMING POOLS, TENNIS COURTS, OR SIMILAR FACILITIES.
- OWNER SHALL NOT DRILL WELLS OR CONDUCT MINING OPERATIONS.
- OWNER SHALL NOT GRANT PERMISSION TO THE PUBLIC FOR THE USE OF THE EASEMENT AREA, SUCH PROHIBITED USE SHALL INCLUDE ROADS, PARKING AREAS, STORAGE FACILITIES, AND RECREATION FACILITIES.
- OWNER SHALL NOT APPRECIABLY CHANGE THE CHARACTER OF EXISTING TOPOGRAPHY. NORMAL GARDENING PRACTICES MAY BE CONDUCTED. HOWEVER, OWNER SHALL NOT PLANT ANY TREES WITHIN THE TRANSMISSION LINE EASEMENTS WITHOUT FIRST OBTAINING WRITTEN PERMISSION FROM THE WESTERN AREA POWER ADMINISTRATION (WAPA) OR ITS ASSIGNS.
- OWNER SHALL NOT ERECT OR INSTALL FENCES ON OR ACROSS THE EASEMENT AREAS WITHOUT FIRST SUBMITTING THE FENCE PLANS TO WESTERN AND OBTAINING WESTERN'S WRITTEN APPROVAL.
- OWNERS SHALL NOT PLANT TREES WITHIN THE RIGHT-OF-WAY.
- REQUESTS FOR PERMISSION TO USE THE TRANSMISSION LINE RIGHT-OF-WAY SHOULD BE SUBMITTED TO:

WESTERN AREA POWER ADMINISTRATION
NORTH DAKOTA MAINTENANCE OFFICE
PO BOX 1173
BISMARCK, ND 58502-1173

PLEASE CONTACT AL WOOD OR JERRY PAULSON WITH ANY QUESTIONS AT (701) 221-4500

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY
CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 1986
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.

VERTICAL BENCHMARK:
NE CORNER LOT 2 BLOCK 1 FAIRVIEW CEMETERY ADDITION
ELEV: 1765.48 (NAVD 88)

AREA DATA	
LOTS	1,302,898 S.F. 69.82 ACRES
STREETS	156,368 S.F. 3.59 ACRES
TOTAL	1,459,266 S.F. 33.41 ACRES

FEMA FLOOD INSURANCE RATE MAP
COMMUNITY PANEL NUMBER 38015C08050
100 YR FLOODPLAIN ELEVATION (NAVD 88): 1698.0
DATED AUGUST 4, 2014

AUGUST 11, 2021

○ MONUMENT TO BE SET
● MONUMENT IN PLACE



SWENSON, HAGEN & COMPANY P.C.

300 Bain Avenue
Bismarck, North Dakota 58501
des@swensohagen.com
Phone (701) 221-2600
Fax (701) 221-2600
Landscape & Site Design
Construction Management

FAIRVIEW CEMETERY ADDITION

AUDITOR'S LOT A OF THE N 1/2 OF THE NW 1/4 AND PART OF THE SOUTH HALF OF CENTURY AVENUE RIGHT-OF-WAY & LOT 1 BLOCK 1 REVOLUTIONARY ADDITION AND PART OF THE WEST HALF OF HAMILTON STREET RIGHT-OF-WAY OF THE NE 1/4 OF SECTION 26 TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN
BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION

AUDITOR'S LOT A OF THE N 1/2 OF THE NW 1/4 AND PART OF THE SOUTH HALF OF CENTURY AVENUE RIGHT-OF-WAY & LOT 1 BLOCK 1 REVOLUTIONARY ADDITION AND PART OF THE WEST HALF OF HAMILTON STREET RIGHT-OF-WAY OF THE NE 1/4 OF SECTION 26 TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID AUDITOR'S LOT A; THENCE NORTH 89 DEGREES 49 MINUTES 19 SECONDS WEST, ALONG THE SOUTH LINE OF SAID AUDITOR'S LOT A, A DISTANCE OF 1887.25 TO THE EAST LINE OF THE 500 RAILROAD RIGHT-OF-WAY; THENCE NORTH 28 DEGREES 03 MINUTES 24 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 973.29 FEET; THENCE NORTHWESTERLY AND TO THE RIGHT, CONTINUING ALONG SAID EAST LINE, ON A 9579.65 FOOT RADIUS CURVE, AN ARC LENGTH OF 504.44 FEET TO THE CENTERLINE OF EAST CENTURY AVENUE RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 49 MINUTES 44 SECONDS EAST, ALONG SAID CENTERLINE, A DISTANCE OF 2009.73 FEET TO THE CENTERLINE OF HAMILTON STREET RIGHT-OF-WAY; THENCE SOUTH 00 DEGREES 35 MINUTES 18 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 158.05 FEET; THENCE SOUTHEASTERLY AND TO THE LEFT, CONTINUING ALONG SAID CENTERLINE, ON A 200.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 181.51 FEET; THENCE SOUTH 53 DEGREES 07 MINUTES 45 SECONDS EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 99.87 FEET; THENCE SOUTHERLY AND TO THE RIGHT, CONTINUING ALONG SAID CENTERLINE, ON A 202.86 FOOT RADIUS CURVE, AN ARC LENGTH OF 188.54 FEET TO THE EASTERLY EXTENSION OF THE SOUTHEAST MOST LINE OF SAID LOT 1 BLOCK 1 REVOLUTIONARY ADDITION; THENCE NORTH 89 DEGREES 57 MINUTES 42 SECONDS WEST, ALONG SAID EXTENSION AND THE BOUNDARY OF SAID LOT 1, A DISTANCE OF 99.91 FEET; THENCE SOUTH 38 DEGREES 10 MINUTES 37 SECONDS EAST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 161.55 FEET; THENCE SOUTHWESTERLY AND TO THE LEFT, CONTINUING ALONG SAID BOUNDARY, ON A 229.85 FOOT RADIUS CURVE, AN ARC LENGTH OF 54.10 FEET; THENCE SOUTH 17 DEGREES 02 MINUTES 00 SECONDS EAST, A DISTANCE OF 170.13 FEET TO THE EAST LINE OF SAID AUDITOR'S LOT A; THENCE SOUTH 00 DEGREES 35 MINUTES 18 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 426.77 FEET TO THE POINT OF BEGINNING.

CONTAINING 73.21 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON _____, THAT ALL MONUMENTS SHOWN ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3595

WESTERN AREA POWER ADMINISTRATION EASEMENT RESTRICTIONS

THE UNITED STATES GOVERNMENT (WESTERN AREA POWER ADMINISTRATION) HOLDS TWO SEPARATE 125 FOOT WIDE EASEMENTS FOR THE RIGHT TO OPERATE, PATROL, REPAIR, MAINTAIN, USE, CONSTRUCT, AND RECONSTRUCT ELECTRICAL TRANSMISSION LINES.

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WESTERN AREA POWER ADMINISTRATION
NORTH DAKOTA MAINTENANCE OFFICE
PO BOX 1173
BISMARCK, ND 58502-1173

PLEASE CONTACT AL WOOD OR JERRY PAULSON WITH ANY QUESTIONS AT (701) 221-4500

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE _____, 2021, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ – CHAIRMAN
ATTEST
BEN EHRETH – SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDES AS SHOWN ON THE APPROVED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE APPROVED PLAT.
THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____, 2021.

ATTEST
KEITH J. HUNKE – CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "FAIRVIEW CEMETERY ADDITION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE PLAT.

GABRIEL J. SCHELL
CITY ENGINEER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT FAIRVIEW CEMETERY & THE CITY OF BISMARCK, BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "FAIRVIEW CEMETERY ADDITION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO RE-DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

THEY FURTHERMORE DEDICATE UNTO THE CITY OF BISMARCK "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THERE TO FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)

ROBERT EASTGATE
FAIRVIEW CEMETERY
OWNER, LOTS 1-3 BLOCK 1 FAIRVIEW CEMETERY ADDITION

ON THIS _____ DAY OF _____, 2021, BEFORE ME PERSONALLY APPEARED ROBERT EASTGATE OF FAIRVIEW CEMETERY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____

MAYOR STEVE BAKKEN
CITY OF BISMARCK
221 N. 5TH ST
BISMARCK, ND 58506
OWNER, LOT 4 BLOCK 1 FAIRVIEW CEMETERY ADDITION

ON THIS _____ DAY OF _____, 2021, BEFORE ME PERSONALLY APPEARED MAYOR STEVE BAKKEN OF THE CITY OF BISMARCK, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

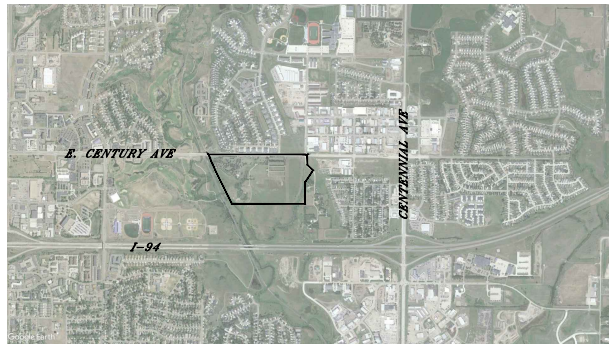
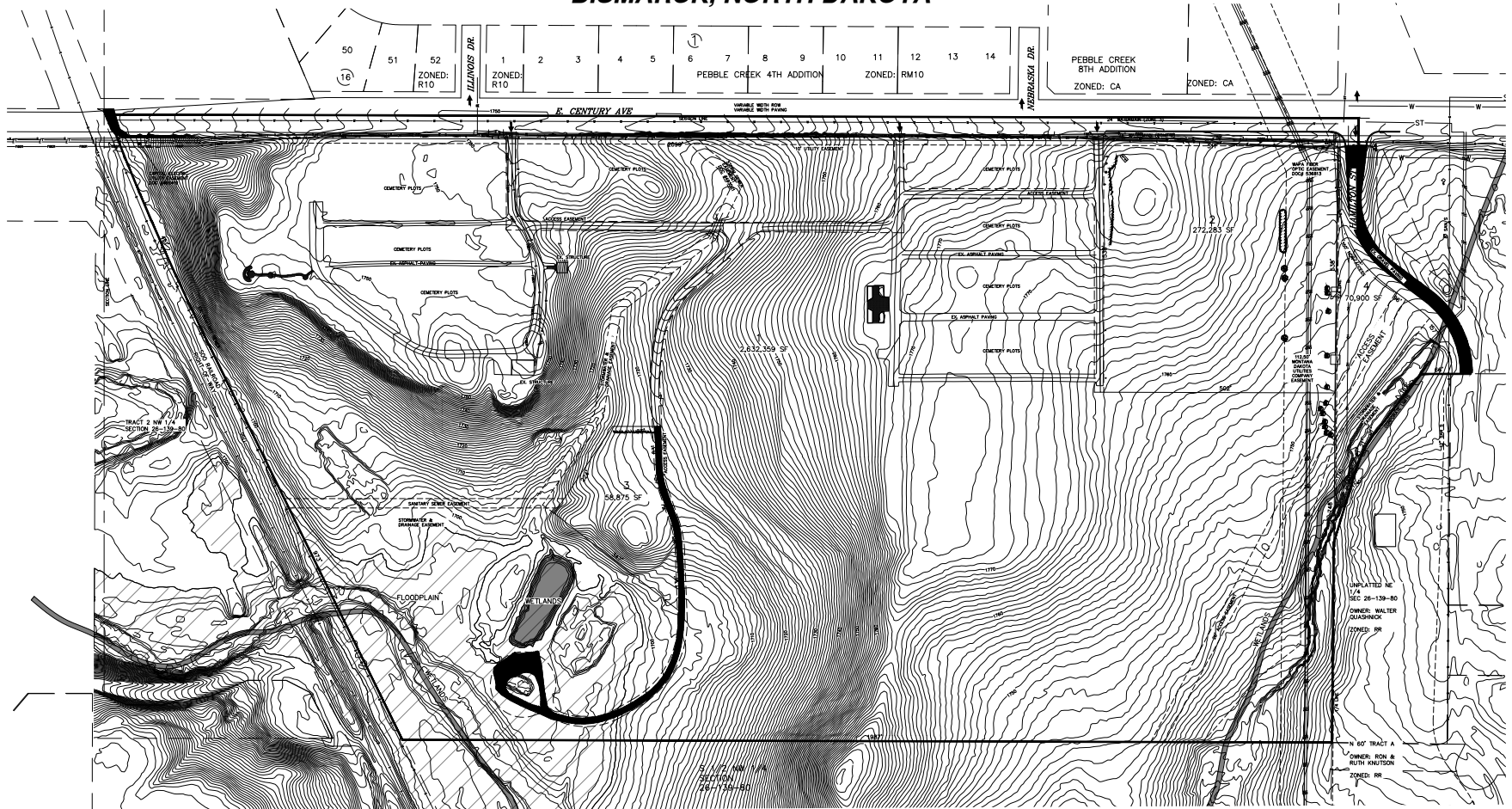
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____



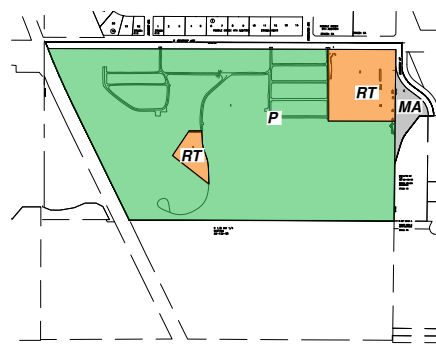
SWENSON, HAGEN & COMPANY P.C.
909 Basin Avenue
Bismarck, North Dakota 58504
dsh@swensonsd.com
Phone (701) 223-2600
Fax (701) 223-2600
Landscape & Site Design
Construction Management

FAIRVIEW CEMETERY ADDITION

PART OF THE N 1/2 OF THE NW 1/4 & LOT 1 BLOCK 1
REVOLUTIONARY ADDITION OF SECTION 26 TOWNSHIP 139 NORTH,
RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN
BISMARCK, NORTH DAKOTA



LOCATION MAP



ZONING MAP

73.3 ACRES
EXISTING ZONING: MA
PROPOSED ZONING: P/RT/MA
4 LOTS

OWNER: FAIRVIEW CEMETERY
ADDRESS: PO BOX 7151
BISMARCK, ND 58507
PHONE: 701 223 1947

OWNER: CITY OF BISMARCK
ADDRESS: 221 N. 5TH ST
BISMARCK, ND 58506

100 YR FLOODPLAIN: 1698
38015C0805D
EFFECTIVE 8/4/14



SCALE - 1" = 100'
VERTICAL DATUM: NAVD 88

MAY 12, 2021

